

10/733,2211166/SYMBP167US**REMARKS**

Claims 1-29 are currently pending in the subject application and are presently under consideration. Amendments to the specification to address the Examiner's recent objection are found at page 2-3. A version of the claims is at pages 4-7. Claims 1, 8-17, 19, 20, 26, 28 and 29 have been amended and claims 5, 7 and 24 have been cancelled herein. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to the Specification

The specification is objected to because of minor informalities. In view of the amendments to the specification on pages 2-3 of the subject reply, this objection is believed to be moot and should be withdrawn.

II. Rejection of Claims 1, 5, 6, 7 and 29 Under 35 U.S.C. §102(b)

Claims 1, 5, 6, 7 and 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kaite *et al.* (US 6,016,046). Applicant's representative respectfully requests that this rejection be withdrawn for at least the following reasons. Kaite *et al.* fails to disclose all features of the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The claimed invention relates to a charging system for a portable unit. In particular, independent claims 1 and 29 recite *a controller that determines a first charging time for the portable unit and allocates a second charging time to the portable unit and means for allocating disparate charge times to at least two portable units*, respectively. Kaite *et al.* is silent regarding such novel features of the subject claims.

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Kaite *et al.* relates to an electrical contact battery pack charging system. On page 3 of Office Action, the Examiner incorrectly asserts that Kaite *et al.* discloses a controller that determines a charging time for the portable unit and allocates a charge time thereto, with respect to claim 7. At the cited portion of the reference, a charging control section controls a rectifying circuit that outputs voltage and current output levels suitable for a rechargeable battery. The rectifying circuit continues with voltage and current output until the rechargeable battery is *fully charged*. Thus, rather than determining and allocating a specific time period during which the rechargeable battery should be charged as in the claimed invention, the control section taught by Kaite *et al.* simply supplies voltage and current levels to the battery until it is recharged. As a consequence of not contemplating ceasing voltage and current supply at a specified point in time, the cited reference is silent regarding *a controller that determines a first charging time for the portable unit and allocates a second charging time to the portable unit*, as recited in independent claim 1. Moreover, Kaite *et al.* teaches a system for charging a *single* radio communications device, and therefore fails to disclose *means for allocating disparate charge times to at least two portable units*, as recited in independent claim 29.

In view of at least the foregoing, it is readily apparent that Kaite *et al.* fails to disclose all aspects recited in claims 1, 5-7 and 29. Accordingly, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 9-13, 17-19 and 24 Under 35 U.S.C. §102(b)

Claims 9-13, 17-19 and 24 stand rejected under 35 U.S.C. §102(b) as being anticipated by Goto (US 5,600,225). This rejection should be withdrawn for at least the following reasons. Goto fails to disclose all aspects of the subject claims.

Independent claims 9 and 19 recite a method of charging a portable unit comprising *allocating a charge time to charge a rechargeable power supply of the portable unit* and *a controller that determines a charging time for the portable unit and allocates a partial charge time to the portable unit*, respectively. Goto is silent regarding such novel features of the subject claims.

Goto relates to a system for charging a radio communications device in an electrically non-contacting manner. On page 5 of the Office Action, the Examiner incorrectly asserts that Goto teaches a controller that allocates a charge time for charging the rechargeable battery. At

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the cited portion, the reference teaches a control section that generates a halt signal upon receiving an incoming call or when the user wishes to use the radio communications device. The halt signal disengages the magnetic force between the device and the charger so the user will not have difficulty removing the device. Thus, the purpose of the halt signal is to stop battery charging when removal of the device from the radiotelephone charger is necessary. Goto fails to contemplate the allocation of a specific charge time to one or more portable units to block further charging currents than needed. To the contrary, rather than rudimentarily charging a portable unit until it is fully charged, the claimed invention alleviates the aforementioned deficiency of Goto and allows further control of voltage and current allocation by *allocating a charge time to the rechargeable power supply of the portable unit*, as recited in independent claim 9. Furthermore, Goto is silent with respect to *allocating a partial charge time to the rechargeable power source of the portable unit* as recited in independent claim 19 because as discussed *supra*, Goto is limited to charging a battery until it is fully charged or upon removal of the radiotelephone device from the charger. As an example to further illustrate this distinction, the reference does not contemplate ceasing the charging process in a pre-determined manner when the rechargeable source is charged halfway. Consequently, Goto fails to *allocate a partial charge time to the rechargeable power source of the portable unit*, as is afforded by independent claim 19.

In view of at least the foregoing, it is readily apparent that Goto fails to disclose the identical invention in as complete detail as is contained in the subject claims. Accordingly, this rejection with respect to independent claims 9 and 19 (and the claims that depend there from) should be withdrawn.

IV. Rejection of Claim 2 Under 35 U.S.C. §103(a)

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kaite *et al.* in view of Ishii *et al.* (US 5,070,293). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Kaite *et al.* and Ishii *et al.*, either alone or in combination, fail to teach or suggest all features set forth in the subject claims. In particular, Ishii *et al.* does not make up for the aforementioned deficiencies of Kaite *et al.* with respect to independent claim 1 (which claim 2 depends from). Thus, the subject invention as recited in

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claim 2 is not obvious over the combination of Kaite *et al.* and Ishii *et al.* Therefore, it is respectfully submitted that this rejection be withdrawn.

V. Rejection of Claim 3 Under 35 U.S.C. §103(a)

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kaite *et al.* in view of Burton *et al.* (6,917,182). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Kaite *et al.* and Burton *et al.* do not teach or suggest each and every element set forth in the subject claims. In particular, Burton *et al.* does not make up for the aforementioned deficiencies of Kaite *et al.* with respect to independent claim 1 (which claim 3 depends from). Thus, the subject invention as recited in claim 3 is not obvious over the combination of Kaite *et al.* and Burton *et al.* Accordingly, this rejection should be withdrawn.

VI. Rejection of Claims 4 and 26 Under 35 U.S.C. §103(a)

Claims 4 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kaite *et al.* and Goto in view of Kodama (5,805,998). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Kaite *et al.*, Goto and Kodama, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Kodama does not make up for the aforementioned deficiencies of Kaite *et al.* and Goto with respect to independent claims 1 and 19 (which claims 4 and 26 depend from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Kaite *et al.*, Goto and Kodama. Therefore, it is respectfully submitted that this rejection be withdrawn.

VII. Rejection of Claim 8 Under 35 U.S.C. §103(a)

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kaite *et al.* in view of Goto. It is respectfully requested that this rejection be withdrawn for at least the following reasons. Kaite *et al.* and Goto do not teach or suggest each and every element set forth in the subject claims. In particular, Goto does not make up for the aforementioned deficiencies of Kaite *et al.* with respect to independent claim 1 (which claim 8 depends from). Thus, the subject invention as recited in claim 8 is not obvious over the combination of Kaite *et al.* and Goto. Accordingly, withdrawal of this rejection is respectfully requested.

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VIII. Rejection of Claim 21 Under 35 U.S.C. §103(a)

Claim 21 stands rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Kaite *et al.* It is respectfully requested that this rejection be withdrawn for at least the following reasons. Goto and Kaite *et al.*, individually or in combination, do not teach or suggest all aspects set forth in the subject claims. In particular, Kaite *et al.* does not make up for the aforementioned deficiencies of Goto with respect to independent claim 19 (which claim 21 depends from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto and Kaite *et al.*. Therefore, this rejection should be withdrawn.

IX. Rejection of Claim 20 Under 35 U.S.C. §103(a)

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Fernandez *et al.* (US 6,184,651). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Goto and Fernandez *et al.* do not teach or suggest all aspects set forth in the subject claims. In particular, Fernandez *et al.* does not make up for the aforementioned deficiencies of Goto with respect to independent claim 19 (which claim 20 depends from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto and Fernandez *et al.* Accordingly, it is respectfully submitted that this rejection should be withdrawn.

X. Rejection of Claims 14-16 and 22 Under 35 U.S.C. §103(a)

Claims 14-16 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Lew *et al.* (US 6,608,464). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Goto and Lew *et al.*, individually or in combination, do not teach or suggest all features set forth in the subject claims. In particular, Lew *et al.* does not make up for the aforementioned deficiencies of Goto with respect to independent claim 9 (which claims 14-16 and 22 depend from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto and Lew *et al.* Accordingly, this rejection should be withdrawn.

10/733,2211166/SYMBP167US**XI. Rejection of Claim 23 Under 35 U.S.C. §103(a)**

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Goto in view of Kaite *et al.* It is respectfully requested that this rejection be withdrawn for at least the following reasons. Goto and Kaite *et al.*, individually or in combination, do not teach or suggest all aspects set forth in the subject claims. In particular, Kaite *et al.* does not make up for the aforementioned deficiencies of Goto with respect to independent claim 19 (which claim 23 depends from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto and Kaite *et al.* Therefore, this rejection should be withdrawn.

XII. Rejection of Claim 25 Under 35 U.S.C. §103(a)

Claim 25 stands rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Lappi *et al.* (US 6,114,832). This rejection should be withdrawn for at least the following reasons. Goto and Lappi *et al.* fail to teach or suggest all elements of the subject claims. In particular, Lappi *et al.* does not make up for the aforementioned deficiencies of Goto with respect to independent claim 19 (which claim 25 depends from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto and Lappi *et al.* Withdrawal of this rejection is respectfully requested.

XIII. Rejection of Claim 27 Under 35 U.S.C. §103(a)

Claim 27 stands rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Fernandez *et al.* and further in view of Koreis (US 6,489,745). It is respectfully requested that this rejection be withdrawn for at least the following reasons. As discussed *supra*, Goto and Fernandez *et al.* do not teach or suggest all aspects set forth in independent claim 19. Koreis does not make up for the aforementioned deficiencies of Goto and Fernandez *et al.* Therefore, this rejection with respect to claim 27 (which depends from independent claim 19) should be withdrawn.

XIV. Rejection of Claim 28 Under 35 U.S.C. §103(a)

Claim 28 stands rejected under 35 U.S.C. §103(a) as being unpatentable over and Goto in view of Lappi *et al.* and further in view of Utsunomiya *et al.* (6,327,127). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Goto, Lappi *et al.*

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and Utsunomiya, individually or in combination, do not teach or suggest all aspects set forth in the subject claims. In particular, Utsunomiya *et al.* does not make up for the aforementioned deficiencies of Goto and Lappi *et al.* with respect to independent claim 19 (which claim 28 depends from). Thus, the subject invention as recited in the subject claims is not obvious over the combination of Goto, Lappi *et al.* and Utsunomiya *et al.* Therefore, this rejection should be withdrawn.

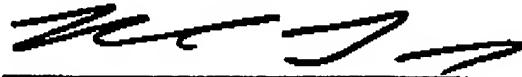
CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [SYMBP167US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
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